

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LAUSTEVEION JOHNSON,
Plaintiff,
vs.
RASHONDA SMITH, *et al.*,
Defendants.

Case No.: 2:17-cv-00156-GMN-DJA

ORDER

RASHONDA SMITH, *et al.*,

Defendants.

Pending before the Court is the Motion for an Order to Show Cause, (ECF No. 55), filed defendants James Cox, James Dzurenda, Rashonda Smith, Jo Gentry, and Brian Williams defendants”). Plaintiff Lausteveion Johnson did not file a response, and the deadline to do so August 4, 2020. Defendants contend that the Court should issue an order to show cause regarding Plaintiff’s failure to pay the filing fees for this matter, as required by the Court’s May 9 Order, (ECF No. 24), revoking Plaintiff’s in forma pauperis status.

Since the Order revoking Plaintiff’s in forma pauperis status, Plaintiff has failed to pay any amount of outstanding filing fees for this action, and failure to make such payments is a sufficient basis for dismissal without prejudice. *See, e.g., Akers v. Keszei*, No. 2:07-cv-00572-JCM, 2012 WL 1340519, at *3 (D. Nev. Mar. 14, 2012), *report and recommendation adopted*, No. 2:07-cv-00572-JCM, 2012 WL 1340497 (D. Nev. Apr. 18, 2012) (“Failure to pay the filing fee will result in dismissal of this action without prejudice.”); *Arpino v. Cherry*, No. 3:17-cv-00527-MMD-VPC, 2018 WL 10563140, at *2 (D. Nev. May 16, 2018) (ordering dismissal of the case without prejudice “based on Plaintiff’s failure to pay the filing fee in compliance with this Court’s April 10, 2018 Order”). But before dismissal of this matter will occur, the Court provides Plaintiff an opportunity to cure all outstanding filing fees or show cause as to why the

1 Court should excuse Plaintiff's failure to pay the requisite fees. Plaintiff has until August 14,
2 2020, to do so. Accordingly,

3 **IT IS HEREBY ORDERED** that Defendants' Motion for Order to Show Cause, (ECF
4 No. 55), is **GRANTED**.

5 **IT IS FURTHER ORDERED** that Plaintiff has until 5:00 PM on August 14, 2020, to
6 either pay the outstanding filing fees owed as required by the Court's Order, (ECF No. 24),
7 revoking Plaintiff's in forma pauperis status, or show cause as to why Plaintiff is wholly unable
8 to pay the outstanding filing fees in this matter. Failure to pay the outstanding filing fees by
9 August 14, 2020, or show cause warranting excusal of payment will result in dismissal of this
10 action without prejudice.

11 **DATED** this 5 day of August, 2020.

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Gloria M. Navarro, District Judge
United States District Court

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